

Notice of Allowability

Application No.

10/628,827

Examiner

Devona E. Faulk

Applicant(s)

HENSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/26/2007.
2. ☒ The allowed claim(s) is/are 2-6, 8-12, 14, 15, 18-19 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

The applicant's RCE filed on 2/26/2007 was received and the amendment entered.

Response to Remarks

1. The applicant amended the claims but the amendment did not put the claims in allowable form.
2. The applicant agreed to an examiner's amendment to place the claims in allowable.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bruce E. Stuckman (Reg. No. 36,693) on 3/6/2007.

The claims are to be amended as follows:

Claims 13 and 20: Cancel.

Claim 6, line 11: after "potential", delete "at" and inset in its place - - during - -.

Claim 11, line 6: after "potential", delete "at" and inset in its place - - during - -.

Claim 11, line 7: after "sequence", insert - - and turning off the clamping when the audio amplifier and the digital-to-analog converter are substantially turned on - -.

Claim 18, line 13: after "potential", delete "at" and inset in its place - - during - -.

Claim 18, line 14: after "sequence", insert - - and wherein the clamping switch is turned off when the audio amplifier and the digital-to-analog converter are substantially turned on - -.

Claim 22, line 10: after "potential", delete "at" and inset in its place - - during - -.

Claim 22, line 10: after "sequence", insert - - and wherein the clamping switch is turned off when the audio amplifier and the digital-to-analog converter are substantially turned on - -.

4. Claims 2-6,8-12,14,15,18-19 and 22 are allowed. The following is an examiner's statement of reasons for allowance:

Regarding claims 6,11,18 and 22 prior art Hewitt et al. (U.S. Patent 5,796,851) discloses an apparatus comprising: an audio amplifier (22) to generate an output to a load (20); a digital-to-analog converter (30) to drive the amplifier during at least one of powering up and powering down the amplifier, the digital-to-analog converter to control the amplifier to ramp the voltage at the output at a predetermined rate to reduce rapid voltage changes from being sent to the load during the at least one of powering up or powering down of the audio amplifier (column 3, lines 3-15); a control circuit to generate data sent to the digital-to-analog converter during at least one of powering up and powering down the audio amplifier (DSP, 34) (column 3, lines 3-15). Prior art Kobayashi (US 5,764,005) teaches of clamping the output of the amplifier to selectively clamp the output of the amplifier to a power return potential (column 5, lines 26-30). Prior art Yahagi et al. (US 6,783,073) discloses clipping that is performed using a clamping switch (column 9, lines 32-35). The prior art of combination thereof fails to

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disclose or make obvious wherein the clamping switch is on to clamp the output to the return potential during initiation of a power up or down sequence and wherein the clamping switch is off when the audio amplifier and the digital-to-analog converter are substantially turned off. Therefore, the prior art or combination thereof fails to disclose or make obvious an apparatus, a method to power up or down an audio amplifier, an integrated circuit as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devona E. Faulk whose telephone number is 571-272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DEF


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600